



So Ordered.

Diane Davis
United States Bankruptcy Judge

Signed this 25 day of June, 2014.

United States Bankruptcy Court
Northern District of New York

In re:

Vincent D. Iocovozzi
Debtor

Chapter 13
Case no. 13-62035-6-dd

ORDER DETERMING CLAIMS

Upon the Motion of the Debtor, Vincent D. Iocovozzi, objecting to and requesting the Court to determine the claims of BonNette L. Iocovozzi, Claims Nos. 10, 11, and 12; the Opposition to Objection to Claim of BonNette L. Iocovozzi; and the Reply to BonNette L. Iocovozzi's Opposition to Objection to Claim; and

Upon a hearing having been held on June 19, 2014, with Carol Malz, Esq. appearing on behalf of Vincent D. Iocovozzi; Thomas P. Hughes appearing on behalf of BonNette L. Iocovozzi; and Maxson Champion, Esq., appearing on behalf of the Chapter 13 Trustee; and

Upon the Court having heard the arguments of the parties, and due consideration being had, it is

ORDERED that Claim No. 10 is allowed, subject to disallowance or amendment based on the outcome of the Debtor's appeal of Judge Gall's Order; and it is further

ORDERED that should Claim No. 10 be disallowed or amended such that BonNette L. Iocovozzi has received payment through the Plan that she is not entitled to, then BonNette L. Iocovozzi shall reimburse the Plan for such monies received; and it is further

ORDERED that the determination of Claim No. 10 by the state court, and the Debtor's right to amend his Chapter 13 Plan following the state court's determination, shall not be prejudiced by confirmation of his Chapter 13 Plan in the interim; and it is further

ORDERED that the determination as to whether Claim No. 10 is a "domestic support obligation" is preserved for the hearings on confirmation of the plan and BonNette L. Iocovozzi's Motion for Relief from Stay; and it is further

ORDERED that Claim No. 11 is allowed for an estimated value of one dollar (\$1.00), with BonNette L. Iocovozzi's rights to amend her claim preserved pending the outcome of the state court proceeding(s); and it is further

ORDERED that Claim No. 12 is allowed for an estimated value of one dollar (\$1.00), with BonNette L. Iocovozzi's rights to amend her claim preserved pending the outcome of the state court proceeding(s); and it is further

ORDERED that the determination of Claims Nos. 11 and 12 by the state court, and BonNette L. Iocovozzi's right to object to the Chapter 13 Plan following the state court's determinations, shall not be prejudiced by confirmation of the Chapter 13 Plan in the interim.

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